

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE**

LOCAL, 8027 AFT-NEW HAMPSHIRE,
AFL-CIO, et al.,

Plaintiffs,

V.

Case No. 1:21-cv-1077-PB

FRANK EDELBLUT, in his official capacity only as the Commissioner of the New Hampshire Department of Education, et al.,

Defendants.

NOTICE OF SUPPLEMENTAL AUTHORITY

The defendants, by and through the Office of the New Hampshire Attorney General, submit this notice of supplemental authority to inform this Court of the First Circuit’s November 8, 2022 opinion in *Frese v. Formella*, No. 21-1068, which involved, among other things, a facial vagueness challenge to New Hampshire’s criminal defamation statute. A copy of the slip opinion is attached to this notice.

Respectfully submitted,

FRANK EDELBLUT, in his official capacity
as Commissioner of the Department of
Education,

JOHN M. FORMELLA, in his
official capacity only as Attorney General
of the State of New Hampshire,

AHNI MALACHI, in her official capacity as
Executive Director of the Commission for
Human Rights,

CHRISTIAN KIM, in his official capacity as
Chair of the Commission for Human Rights,

and

KENNETH MERRIFIELD, in his official
capacity as Commissioner of the Department of
Labor

By their attorney,

JOHN M. FORMELLA
ATTORNEY GENERAL

Date: November 8, 2022

/s/ Samuel Garland
Samuel R.V. Garland, Bar #266273
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Certificate of Service

I hereby certify that a copy of the foregoing was served on all counsel of recording
using the Court's electronic-filing service.

/s/ Samuel Garland
Samuel R.V. Garland